

**LODI CITY COUNCIL  
SPECIAL CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, DECEMBER 15, 1998  
7:00 A.M.**

1. ROLL CALL

Present: Council Members – Hitchcock, Nakanishi, Pennino and Land (Mayor)

Absent: Council Members – Mann

Also Present: City Manager Flynn, Deputy City Manager Keeter, Public Works Director Prima,  
Community Development Director Bartlam, City Attorney Hays and City Clerk  
Reimche

2. REGULAR CALENDAR

- a) Agenda item #B-1 entitled, "Appointments to various Council-appointed boards and commissions".

At the Shirtsleeve Session of December 8, 1998, staff was directed to place on the Special Meeting agenda of December 15, 1998, an item relating to appointments of City Council Members to Council-appointed boards and commissions.

The following actions were taken regarding appointments to various Commissions and Committees.

With the tacit concurrence of the City Council Members present, Council Member Pennino and Mayor Land were designated to serve on the Lodi Unified School District (LUSD)/City of Lodi 2 X 2 Committee. It was requested that the time of these meetings be changed to 5:00 p.m.

With the tacit concurrence of the City Council Members present, Council Members Hitchcock and Nakanishi were designated to serve on the Greenbelt 2 X 2 X 2 Committee. The committee will also include member(s) from San Joaquin County and from the City of Stockton.

With the tacit concurrence of the City Council Members present, Mayor Land was designated to serve on the Visitors' Convention Bureau Board. This board will include member(s) from the Chamber of Commerce and from the Lodi-Woodbridge Winegrape Commission.

The City Council recommended that Robert J. Johnson continue to serve on the Advisory Water Commission for the remainder of his term. The City Clerk was asked to confirm with Mr. Johnson if he would be willing to continue serving.

Community Development Director Bartlam was asked to check if the Community Development Block Grant (CDBG) Program Committee is still an active committee and to report back to the City Council on his findings.

It was announced that Council Member Pennino is no longer an advisor on the Greater Lodi Area Youth Commission. No action was taken regarding filling this vacancy.

It was agreed by the City Council Members present that Mayor Pro Tempore Mann will continue to serve on the Information Technology Committee.

It was announced that Council Member Hitchcock has been appointed to serve on the League of California Cities Environmental Quality Policy Committee.

It was further announced that Council Member Pennino has been appointed to serve on the League of California Cities Housing, Community and Economic Development Policy Committee.

City Clerk Reimche apprised the City Council that appointments to the Local Agency Formation Commission (LAFCO) will not be made by the City Selection Committee, which is composed of all seated Mayors in San Joaquin County, until May 1999.

Further, the City Council, on motion of Council Member Pennino, Land second, adopted Resolution No. 98-181 making the following appointments:

- Designated Keith Land as Delegate and Susan Hitchcock as Alternate to the Northern California Power Agency (NCPA). It should be noted that Electric Utility Director Vallow and Manager, Rates & Resources, Jack Stone, also serve as Alternates to NCPA.
- Determined that Mayor Land will continue to serve as Delegate to the Transmission Agency of Northern California (TANC) and further designated Council Member Hitchcock to serve as Alternate. It should be noted that Electric Utility Director Vallow is also an Alternate.

The motion carried by the following vote:

Ayes: Council Members – Hitchcock, Nakanishi, Pennino and Land (Mayor)

Noes: Council Members – None

Absent: Council Members – Mann

No action was taken at this time as to the delegate to the San Joaquin County Council of Governments (COG). Both Council Member Pennino and Council Member Nakanishi voiced an interest in serving as delegate to COG. City Clerk Reimche was asked to check on the expiration date of the term presently being filled by Council Member Pennino.

The City Clerk was asked to check on the process for appointment to the San Joaquin County Regional Rail Commission and report back to the City Council with her findings.

No action was taken on appointing a delegate to the San Joaquin County County-Wide Library Operations Task Force.

The Council Members present determined that Mayor Land will continue to serve as the City's representative on the San Joaquin County Solid Waste Management Task Force.

The Council Members present designated Council Member Mann to fill the unexpired term of Jack Sieglock to the San Joaquin Partnership, which term is due to expire August 6, 2001.

The Council Members present designated Council Member Nakanishi to fill the unexpired term of Robert J. Johnson to the East San Joaquin Parties Water Authority, which term is due to expire August 6, 2001.

Staff was asked to check if the San Joaquin Water Users Association is still an active committee and to report back to the City Council with its findings.

- b) Agenda item #B-2 entitled, "Exclusive Right to Negotiate Agreement with Edward and Anthony Barkett regarding City property".

This matter was discussed in Closed Session as agenda item #C-3 and action regarding the matter was disclosed following the Closed Session.

3. CLOSED SESSION

Mayor Land adjourned the City Council meeting to a Closed Session to discuss the following matters:

- a) Actual litigation: Government Code §54956.9(a). One case. People of the State of California; and the City of Lodi, California v. Randtron, a dissolved California Corporation, Oldco Holz, Inc., a suspended, bankrupt, and defunct California Corporation, to the extent of their interest in the combined single limits of liability coverage under certain policies of insurance issued by Employers Insurance Of Wausau, A Mutual Company, United States District Court, Eastern District of California Case No. CIV-598-0620(DFL)(DAD). **There was no need to discuss this matter.**
- b) Actual litigation: Government Code §54956.9(a). One case. Fireman's Fund Insurance Company v. City of Lodi, et al., United States District Court, Eastern District of California Case No. CIV-S-98-1489 LKK PAN. **There was no need to discuss this matter.**
- c) Prospective acquisition of 130 West Elm Street, Lodi, for Downtown Parking Structure. Government Code §54956.8.

4. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

The City Council meeting reconvened at approximately 8:20 a.m. Mayor Land disclosed that in regards to item c), the City Council, on motion of Council Member Pennino, Hitchcock second, authorized the City Manager and City Clerk to execute an Exclusive Right to Negotiate Agreement on three City owned properties for a nine-month period. This Agreement is given for the express purpose of allowing the developer, Edward A. Barkett and Anthony Barkett, to evaluate the subject property. This motion carried by the following vote:

Ayes: Council Members – Hitchcock, Nakanishi, Pennino and Land (Mayor)  
Noes: Council Members – None  
Absent: Council Members – Mann

5. ADJOURNMENT

There being no further business to come before the City Council, Mayor Land adjourned the meeting at approximately 8:25 a.m.

ATTEST:

Alice M. Reimche  
City Clerk